IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 25000 of 2004

Between:

K.Prabhakar, S/o Venkateswarlu, Kanigiri Mandal, Kanigiri, Nellore District.

... PETITIONER

AND

1. The Government of Andhra Pradesh, Revenue Department, duly represented by its Secretary to the Government, Andhra Pradesh.
2. The District Collector, Nellore, Nellore Town, Nellore District, Andhra Pradesh.
3. The Revenue Divisional Officer, Kavali Revenue Division, Kavali, Nellore District, A.P.
4. The Mandal Revenue Officer, Kaligiri Mandal, Kaligiri, Nellore District A.P.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of certiorari calling for the records and to quash the impugned Notice No. 208/2004, dated 05.08.2004 issued by the Mandal Revenue Officer, Kaligiri Mandal, Kaligiri, Nellore District, Andhra Pradesh i.e., the 4th respondent herein.

For the Petitioner: M/S. CHANDANA MADALA, Advocate

For the Respondents: GP FOR REVENUE

The Court at the admission stage made the following:

ORDER:

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Questioning the impugned notice issued by the fourth respondent-Mandal Revenue Officer in R.C. No.208/2004, dated 05-08-2004, calling for the explanation of the petitioner as to why the assignment granted in his favour under patta No.451 in respect of Ac.3-38 cents of dry land in Survey No.20 of East Dubagunta village, Kaligiri Mandal of Nellore District, should not be cancelled on the ground of violation of assignment conditions, the petitioner filed the present writ petition stating that without passing orders on the explanation, dated 22-9-2004 submitted by him to the impugned notice, the respondents are taking coercive steps for canceling his patta and evicting him from the land in question. Hence, the writ petition.

Heard the leaned counsel for the petitioner and the leaned Government Pleader for Revenue.

Having regard to the fact that the explanation stated to have been submitted by the petitioner to the impugned notice is pending consideration with the fourth respondent, I deem it appropriate to direct the fourth respondent to consider the explanation of the petitioner dated 22-9-2004 and pass appropriate orders thereon in accordance with law. Till passing of such orders, status quo existing as on today with respect to possession of the land in question shall be maintained.

Accordingly, the writ petition is disposed of at the stage of admission.

Sd/- B.V.S.SAI PRASAD

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Secretary, Government of Andhra Pradesh, Revenue Department, Andhra Pradesh.
2. The District Collector, Nellore, Nellore Town, Nellore District, Andhra Pradesh.
3. The Revenue Divisional Officer, Kavali Revenue Division, Kavali,

Nellore District, A.P.

4. The Mandal Revenue Officer, Kaligiri Mandal, Kaligiri, Nellore District A.P.

5. Two C.Cs to the Government Pleader for Revenue, High Court Buildings, A.P.,Hyderabad (OUT).

6. Two C.D.copies.

7. One cc to Mr.Chandana Madala, Advocate (OPUC)

TRk

HIGH COURT

DATED: 31.12.2004

ORDER:

W.P.NO.25000 OF 2004

DISPOSING OF THE WP

AT THE ADMISSION STAGE